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*Attorneys for Plaintiff Andrea Burns and the
Proposed Class
* Pro hac vice*

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CYNTHIA RYAN and ROSALIA
GARCIA, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

LIVE NATION ENTERTAINMENT,
INC., and TICKETMASTER, LLC,

Defendants.

CASE NO. 2:24-cv-04482 -SPG-MAA

Assigned for all Purposes to Courtroom
5C; Hon. Sherilyn Peace Garnett

Complaint Filed: May 29, 2024

CLASS ACTION

**PLAINTIFF ANDREA BURNS'
RESPONSE TO MOTION FOR
CONSOLIDATION AND
REQUEST FOR BRIEFING
SCHEDULE AND PROTOCOL
FOR THE CONSIDERATION OF
INTERIM CLASS COUNSEL
APPLICATIONS**

AMY GETMAN and STEPHANIE
EVANGELISTA, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

TICKETMASTER, LLC, and LIVE
NATION ENTERTAINMENT, INC.

Defendants.

CASE NO. 2:24-cv-04580-SPG-MAA

Assigned for all Purposes to Courtroom
5C; Hon. Sherilyn Peace Garnett

Complaint Filed: May 31, 2024

CLASS ACTION

JODI CABALLERO, OWEN
CONLAN, BRYAN CURTIS,
KELLEY DAVIS, CHARLES
FITZGERALD, BRENDAN HEALY,
CHRIS RIPPEL, AND MICHAEL
WALTERS, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

LIVE NATION ENTERTAINMENT,
INC., and TICKETMASTER, LLC,

Defendants.

CASE NO. 2:24-cv-04625-JFW-PVC

Assigned for all Purposes to Courtroom
7A; Hon. John F. Walter

Complaint Filed: Jun. 3, 2024

CLASS ACTION

FAISAL MOLEDINA, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

LIVE NATION ENTERTAINMENT,
INC., and TICKETMASTER, LLC,

Defendants.

CASE NO. 2:24-cv-04631-JLS-MRW

Assigned for all Purposes to Courtroom
8A; Hon. Josephine L. Staton

Complaint Filed: Jun. 3, 2024

CLASS ACTION

LORIE DUPREEZ, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

TICKETMASTER, LLC, and LIVE
NATION ENTERTAINMENT, INC.,

Defendants.

COREY POLUK, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

TICKETMASTER, LLC, and LIVE
NATION ENTERTAINMENT, INC.,

Defendants.

ANDREA BURNS, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

TICKETMASTER, LLC, and LIVE
NATION ENTERTAINMENT, INC.

Defendants.

CASE NO. 2:24-cv-04659-SPG-MAA

Assigned for all Purposes to Courtroom
5C; Hon. Sherilyn Peace Garnett

Complaint Filed: Jun. 4, 2024

CLASS ACTION

CASE NO. 2:24-cv-04671-JLS-MRW

Assigned for all Purposes to Courtroom
8A; Hon. Josephine L. Staton

Complaint Filed: Jun. 4, 2024

CLASS ACTION

CASE NO. 2:24-cv-04674-SPG-MAA

Assigned for all Purposes to Courtroom
5C; Hon. Sherilyn Peace Garnett

Complaint Filed: June 4, 2024

CLASS ACTION

ERIC ANDERSON, TIFFANY
MOORE, and DEKIMA THOMAS,
individually and
on behalf of all others similarly situated,

Plaintiff,

v.

TICKETMASTER, LLC, and LIVE
NATION ENTERTAINMENT, INC.,

Defendants.

CASE NO. 2:24-cv-04709-JLS-MRW

Assigned for all Purposes to Courtroom
8A; Hon. Josephine L. Staton

Complaint Filed: Jun. 5, 2024

CLASS ACTION

CHRISTINA XIAN, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

TICKETMASTER, LLC, and LIVE
NATION ENTERTAINMENT, INC.,

Defendants.

CASE NO. 2:24-cv-04726-SPG-MAA

Assigned for all Purposes to Courtroom
5C; Hon. Sherilyn Peace Garnett

Complaint Filed: Jun. 5, 2024

CLASS ACTION

JAMES CURRY and DAVID
FREIFELD, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

TICKETMASTER, LLC, and LIVE
NATION ENTERTAINMENT, INC.,

Defendants.

CASE NO. 2:24-cv-04773-JLS-MRW

Assigned for all Purposes to Courtroom
8A; Hon. Josephine L. Staton

Complaint Filed: Jun. 7, 2024

CLASS ACTION

1 KIMBERLY BLAKE and LAMIBIA
2 DUNHAM, individually and
3 on behalf of all others similarly situated,

4 Plaintiff,

5 v.

6 TICKETMASTER, LLC, and LIVE
7 NATION ENTERTAINMENT, INC.,

8 Defendants.

CASE NO. 2:24-cv-04973-MWF

Assigned for all Purposes to Courtroom
5A; Hon. Michael W. Fitzgerald

Complaint Filed: Jun. 13, 2024

CLASS ACTION

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TABLE OF AUTHORITIES

CASES

Ramirez v. HB USA Holdings Inc., No. 20-9748-JGB, 2021 WL 840353 (C.D. Cal. Jan. 15, 2021)3

White v. TransUnion, LLC, 239 F.R.D. 681 (C.D. Cal. 2006)2

OTHER AUTHORITIES

Fed. R. Civ. P. 23(g) 1, 3

Fed. R. Civ. P. 23(g) (2).....2

1 Plaintiffs **ANDREA BURNS** (“Plaintiff Burns”) respectfully submits her response to the
2 Notice of Motion and Motion to Consolidate Cases and Appoint Interim Co-Lead Counsel,
3 Liaison Counsel, Executive Committee and Executive Committee Chair (ECF No. 17)
4 (“Consolidation and Appointment Motion” or “Motion”) filed by Ryan J. Clarkson of the
5 Clarkson Law Firm, P.C., Thomas E. Loeser of Cotchett Pitre & McCarthy LLP, Daniel S.
6 Robinson of Robinson Calcagnie, Inc., and Mona Amini of Kazerouni Law Group, APC
7 (“Moving Counsel”). Plaintiff Burns joins Moving Counsels’ request to consolidate the related
8 cases filed in this District. However, Plaintiff Burns agrees with counsel for **JODI**
9 **CABALLERO, OWEN CONLAN, BRYAN CURTIS, KELLEY DAVIS, CHARLES**
10 **FITZGERALD, BRENDAN HEALY, CHRIS RIPPEL, and MICHAEL WALTERS** (the
11 “Caballero Plaintiffs”) in opposing Moving Counsel’s premature request for appointment of
12 Interim Class Counsel pursuant to Federal Rule of Civil Procedure 23(g). Plaintiff Burns submits
13 that this Court should deny Moving Counsel’s Rule 23(g) application without prejudice, set a
14 briefing schedule and develop an orderly procedure for submission of Rule 23(g) applications.

17 **BACKGROUND**

18 Moving Counsel inaccurately represented in their filing that they enjoyed the support of
19 Plaintiff Burns in filing their Motion. To the contrary, Plaintiff Burns was never afforded the
20 opportunity to review the motion prior to filing and, in discussions with counsel for Plaintiff
21 Burns, Moving Counsel presented a leadership structure at odds with that submitted to the Court.
22 Plaintiff Burns did not support Moving Counsel’s Motion. Accordingly, Plaintiff Burns joins the
23 Cabellero Plaintiffs Response to Motion for Consolidation and Request for Briefing Schedule and
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Protocol for the Consideration of Interim Class Counsel Application and adopts the arguments set forth therein by reference here.

ARGUMENT

A. The Court Should Consolidate All In-District Cases Before a Single Judge

To the extent there is no MDL established, and to the extent that the related cases are not transferred to a different district, Plaintiff Burns agrees that all the related in-District cases (present and future) and any future related actions removed to or transferred to this District should be consolidated under the first-filed Ryan case pursuant to Rule 42(a).

Plaintiff Burns agrees with Moving Counsel and Cabellero Plaintiffs that consolidation will promote efficiency and protect against inconsistent rulings, and is likely to minimize inconvenience, delay and expense as compared to allowing several substantially identical cases with overlapping classes proceed in tandem. Thus, Plaintiff Burns supports consolidation of the Related Cases currently pending in this District before this Court, as well as eventual transfer and consolidation of the actions from the other districts to this Court.

B. The Court Should Establish a Process for Rule 23(g) Applications at an Appropriate Time

“The Court may appoint interim class counsel only if the applicant is adequate under Rule 23(g)(1) and (4). If more than one adequate applicant seeks appointment, the court must appoint the applicant best able to represent the class.” Fed. R. Civ. P. 23(g)(2). Appointment of interim lead counsel is appropriate where “a large number of putative class actions have been consolidated or otherwise are pending in a single court.” *White v. TransUnion, LLC*, 239 F.R.D. 681, 683 (C.D. Cal. 2006) (citing Manual for Complex Litigation (4th) § 21.11).

Moving Counsels' request to appoint interim class counsel is premature because the related matters have not yet been consolidated and are not pending before one court. *See, e.g., Ramirez v. HB USA Holdings Inc.*, No. 20-9748-JGB, 2021 WL 840353 *3 (C.D. Cal. Jan. 15, 2021). To the extent that consolidation in this district appears likely, Plaintiff Burns joins the Caballero Plaintiffs in requesting the Court schedule for submission of applications for interim class counsel pursuant to 23(g) triggered by the consolidation of the various related cases, or some other reasonable time as determined by the court that permits the decision to be made after all the interested litigants can be heard on the issue.

CONCLUSION

For the reasons set forth above, Plaintiff Burns requests that the Court consolidate all in-District cases under the Ryan case number and deny without prejudice the pending motion for Rule 23(g) appointment.

Dated: June 24, 2024

/s/Linda P. Nussbaum
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CERTIFICATE OF SERVICE

I hereby certify that I caused to be filed the foregoing document electronically using the Court's electronic case filing (ECF) system, which will automatically send a notice of electronic filing to the email addresses of all counsel of record. I further certify that all non-registrants of the Court's ECF system were served via electronic mail.

Dated: June 24, 2024

Respectfully Submitted,

/s/ Linda P. Nussbaum

Linda P. Nussbaum